

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

ORDER

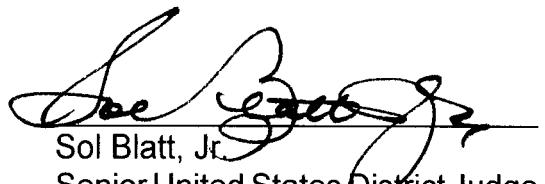
This matter is before the Court on the pro se Movant's motion to vacate, set aside or correct sentence, pursuant to 28 U.S.C. § 2255. The Movant bases his request for relief in part on the decision in In re Cabey, 429 F.3d 93 (4th Cir. 2005) (adv. sheet). This opinion was subsequently vacated and withdrawn from the bound volume of the Federal Reporter because the Fourth Circuit Court of Appeals granted a rehearing in that case. See id. (ed.'s note), reh'g granted, No. 04-277 (Jan. 10, 2006) (attached hereto). To date, the opinion on rehearing has not been issued.

A routine order directing the Government to respond was erroneously issued on June 27, 2006. The Court intends to hold all proceedings in this matter in abeyance until the Fourth Circuit issues its ruling on rehearing.

Based on the foregoing, it is

ORDERED that this Court's order of June 27, 2006 directing the Government to respond is hereby vacated and of no force or effect; and this matter is held in abeyance until the Fourth Circuit issues its opinion on rehearing in the case of In re Cabey.

IT IS SO ORDERED.



Sol Blatt, Jr.
Senior United States District Judge

August 10, 2006
Charleston, S.C.

